

NOTIFICATION OF LAYOFF TO DIRECTOR

The following document should be used as a reference guide by agencies when considering proposing a layoff. These materials can be used as a resource when deciding what needs to be considered in a layoff proposal such as timelines, notifications both to the employee and director, and rights of employees affected by the layoff.

Included in this document is the form , DA - 317, Notification of Layoff - December 2002, which outlines the information that should be included in the Notification of Layoff packet that is to be sent to the Director of the Division of Personnel Services. Regulations that pertain to layoffs, such as bumping and layoff conferencing and reemployment rights, a copy of a sample letter that agencies may use when notifying employees that they will be laid off are also included.

The form DA 314, Layoff Worksheet, is to be completed on all employees affected by the layoff. The DA 314 and all data used to calculate layoff scores and rankings are to be included with the Notification of Layoff that is sent to the Director. An electronic version of the Layoff Worksheet, that will complete mathematical computations, is available from your agency's designated Division of Personnel Services, Human Resource Consultant.

NOTIFICATION

The Notification of Layoff is documented on Form DA - 317. A cover memorandum summarizing the proposed layoff is to accompany the completed Notification of Layoff. Pursuant to K.A.R 1-14-7 any appointing authority proposing a layoff shall provide written notice to the Director of the Division of Personnel Services and a copy of the notice to the Secretary of Administration, at least 45 calendar days before the proposed effective date of the layoff. In cases of extenuating circumstances the Director may waive the 45-day notice requirement. However in no case shall notice of layoff to the Director be less than 30 days prior to the proposed effective date of the layoff. The director will contact the agency with any questions within 10 working days of receipt of the proposed layoff plan. The proposed layoff shall be approved, modified, and approved as modified, or rejected by the Secretary within 15 working days of the receipt of the proposed layoff notice.

A Notification of Layoff is to be submitted to the Director on form DA-317 - December 2002. A sample Notification of Layoff follows. The sample identifies the topic areas to be addressed in the Notification of Layoff, as well as a brief summary of what is to be included in each of the topic areas.

Please Note: a blank Notification of Layoff, DA-317 - December 2002, and a blank Layoff Worksheet, DA-314, Revised 12/02 is available at the end of this document and on the Division of Personnel Services' Website. Spaces on the Notification of Layoff form may be expanded to meet agency needs. Agencies may request an electronic version of the Layoff Worksheet from their designated Division of Personnel Services Human Resource Consultant.

NOTIFICATION of LAYOFF

(Name of Agency)

Reason for Layoff

Identify the reason for the layoff in accordance with K.S.A. 75-2948 and referenced in K.A.R. 1-14-7.

Geographic Area

Identify the geographic area (city or county) affected by the proposed layoff. If no geographic area is designated in the Notification of Layoff, the layoff shall be considered agency-wide.

Organizational Units

Identify a complete list of the organizational units that are to be included in the proposed layoff. If no organizational units are designated in the Notification of Layoff, the layoff will be considered agency-wide.

A complete agency organization chart, with the designated organizational units identified, is to be included with the Notification of Layoff that is sent to the Director, Division of Personnel Services.

Classes

List by official class titles the job class, classes, or class series that will be affected by the proposed layoff. Include all classes and class series that will be affected as a result of bumping.

Bumping Rights

Identify if employees will be permitted to exercise bumping rights and the extent in which bumping will be permitted.

If the agency permits employees affected by the proposed layoff to bump into a lower class in a class series, in addition to the classes they had permanent status in, the classes affected employees had permanent status in and the class series that will be used for bumping are to be included in Notification of Layoff.

Positions Filled by Employees on Original Probation

List by official class title and position number all positions in the agency that are filled by employees on original probation.

Positions To Be Vacated

List the organizational unit and position number of all positions in the agency that will be vacated as a result of the layoff.

Estimated Number of Employees

Identify the estimated number of employees that will be affected by the proposed layoff by class title, organizational unit and geographic area (if applicable), and the layoff score and ranking for each employee.

In addition DA Form 314 - Revised 12/02 (Layoff Worksheet) will need to be filled out for all employees affected by the proposed layoff. Copies of all Layoff Worksheets and data used to compute layoff scores and rankings are to be included with the Notification of Layoff that is sent to the Director, Division of Personnel Services.

Estimated Dollar Reduction

Identify the total dollar reduction resulting from the proposed layoff and the funding source for the dollar reduction. Funding source breakdowns are to be broken down by State General Fund Dollars, Federal Dollars, or Other Dollars.

Effective Date

Identify the effective date of the proposed layoff, keeping in mind the provisions of K.A.R. 1-14-9 which stipulates employees be given a thirty day written notice of the proposed layoff.

Submitted By:

Agency Head _____

Date _____

LAYOFF WORKSHEET

(DA Form 314)

Layoff Scores

Layoff scores shall be calculated pursuant to K.A.R. 1-14-8. A copy of a Layoff Worksheet is included in this packet. An electronic version of the Layoff Worksheet is available to agencies via their designated Division of Personnel Services Human Resource Consultant.

The Layoff Worksheet is used to calculate layoff scores. It is to be filled out on each employee that will be affected by the layoff. Layoff scores shall be provided on the Notification of Layoff to the Director of the Division of Personnel Services for those employees affected by the proposed layoff. All Layoff Worksheets and data used to calculate layoff scores and rankings are to be included with the Notification of Layoff.

Every employee for whom a layoff score has been calculated shall have the right to review the manner in which the employee's score was calculated. If the employee believes an error has been made in the calculation, the employee shall provide the information that may cause an adjustment of the score to the appointing authority.

In the event that the calculation error or question cannot be resolved to the mutual satisfaction of the employee and the appointing authority, the matter shall be referred to the Director of the Division of Personnel Services. The Director, Division of Personnel Services shall resolve any disputes and serve as the final authority with regard to the proper calculation of a layoff score of any employee (K.A.R. 1-14-8).

Position #: _____
Layoff Score: _____
Rank: _____

LAYOFF WORKSHEET

EMPLOYEE: _____

EMPLOYEE I.D.: _____

S.S.N.: _____

CLASS: _____

ORGANIZATIONAL UNIT: _____

PROPOSED LAYOFF DATE: _____

STATUS (*check one*)

Full-Time Part-Time

Perm. _____

Prob. _____

Position # _____

Other (explain) _____

STEP ONE: Determine Employees Total Length of Service "L". Enter Number of months credited per year:

04	98	92	86	80	74	68	62										
03	97	91	85	79	73	67	61										
02	96	90	84	78	72	66	60										
01	95	89	83	77	71	65	59										
00	94	88	82	76	70	64	58										
99	93	87	81	75	69	63	57										
_____	+	_____	+	_____	+	_____	+	_____	+	_____	+	_____	+	_____	=	_____	
																	"L"

NOTE: Must have worked 17 days in month to give credit for month.

STEP TWO: Determine Average Score of Evaluations "A":

Using the point values below, enter the date of each Evaluation Scores for the last five years. Total the Rating Scores and divide the Total Total by the number of evaluations performed.

	Date	Date	Date	Date	Date	Total Rating
Exceptional=5	_____	_____	_____	_____	_____	_____
Satisfactory=3	_____	_____	_____	_____	_____	_____
Unsatisfactory=0	_____	_____	_____	_____	_____	_____

Total
Total _____ / _____ =
#of
Evaluations

NOTE: If an employee has not had a performance rating that may be used to compute a layoff score, the employee shall be deemed to have been given a performance rating of satisfactory.

"A"
Average Score

STEP THREE: Complete Layoff Formula

Enter Totals from Steps "L" & "A", multiply
"L" x "A" to get total Layoff Score.

_____ x _____ =
A L Layoff Score

Uniform Score Sheet

Computed by: _____ Date: _____

K.A.R. 1-14-8(b)

Checked by: _____ Date: _____

SAMPLE LAYOFF NOTICE TO EMPLOYEE

(Agency Letterhead)

January 8, 2002

Employee Name
Employee Address

Dear (Employee Name)

This letter is being sent to notify you that if you decide to not accept any of the other employment opportunities offered to you by the (Agency Name), you will be laid off at the end of your normal designated workday, which is 4:30 PM, on June 8, 2002. This layoff notice is in accordance with Kansas Administrative Regulation 1-14-9, which requires that you be given written notice at least thirty (30) days before the effective date of the proposed layoff.

You will be scheduled for a layoff conference with (list name and title of those involved in conference) prior to June 8, 2002. During your layoff conference you will be informed of any bumping options and employment counseling opportunities available to you. Depending on your employment status, other information that may be discussed will be benefits, vacancies, and reemployment opportunities.

Please let me know if you have questions prior to our scheduling your layoff conference.

Sincerely,

(Name, Title of Appointing Authority)

cc: File

GENERAL INFORMATION:
BUMPING, LAYOFF CONFERENCES AND REEMPLOYMENT RIGHTS
K.A.R. 1-14-7; 1-14-8; 1-14-10; 1-6-23

Bumping Rights

A permanent employee and an employee considered permanent only for purposes of layoff pursuant to K.A.R. 1-14-8(f) and (g) who is affected by a layoff, may bump into another position, provided that the employee to be bumped has a lower layoff score, is not scheduled for layoff and has the lowest layoff score in that class of anyone not scheduled for layoff. The following additional provisions shall also apply:

1. If an agency's layoff notice permits bumping only into lower classes in which an employee had previous permanent status, and the class or classes in which the employee had permanent status have been abolished, the employee shall be afforded bumping rights to a similar job class in a lower pay grade, if a similar job class exists as determined by the Director.
2. If an agency's layoff notice permits bumping into lower classes in a class series, the class series bumping option shall be limited to class series that are designated in the agency's Notification of Layoff. Classes included in class series designated in the agency's Notification of Layoff must perform substantially similar work and have substantially similar minimum requirements. Employees must meet the requirements of the class in order to bump into that class. The agency is to provide detailed information in support of class series that are designated in the agency's Notification of Layoff.
3. Permanent employees may exercise bumping rights into positions filled by probationary employees only within the group of employees having the same full-time or part-time status, provided:
 - The permanent employee scheduled to be laid off is interested in the position; and
 - The permanent employee scheduled to be laid off is eligible for transfer or demotion to the position pursuant to K.A.R. 1-6-24 and 1-6-27.
4. Bumping shall occur within the layoff group identified in the agency's Notification of Layoff, or agency-wide if the agency has not designated a layoff group. If a geographical area or organizational unit is identified in the agency's Notification of Layoff, layoff and bumping shall be applied to employees within the designated geographical area or organizational unit.

Layoff Conferences

An individual conference shall be scheduled for each employee affected by the layoff. These conferences will begin as soon as possible after all employees have received their written notice of layoff. The first conference will be held with the employee having the highest layoff score and continue in turn with all other affected employees in descending order of layoff score. During the layoff conference, each employee shall be given an explanation of the options available through the exercise of bumping rights.

The employee shall also be given an explanation of the applicable regulations and procedures pertaining to layoff and any employment counseling opportunities available to them.

Following each individual layoff conference, the employee shall have a period of twenty-four hours or one working (business) day to consider their options before notifying the appointing authority of their decision.

Upon completion of the individual conferences and at such time as all affected employees have made their intentions known (i.e., selected an option), a list of employees scheduled to be laid off will be forwarded to the Director.

Reemployment Rights

Pursuant to K.A.R. 1-6-23, employees who are laid off, demoted or transferred in-lieu-of layoff, shall be eligible to apply for any vacancy to be filled, including internal vacancies, for up to three years from the date that the layoff action occurred or until the employee is reemployed.

Upon implementation of the proposed layoff, a list of employees who were laid off, demoted or transferred in-lieu-of layoff, or some other action is to be forwarded to the Director.

NOTIFICATION of LAYOFF

(Name of Agency)

Reason For Layoff

Geographic Area

Organizational Units

Classes

Bumping Rights

Positions Filled by Employees on Original Probation

Positions To Be Vacated

Estimated Number of Employees

Estimated Dollar Reduction

Effective Date

Submitted By:

Agency Head _____

Date _____

LAYOFF WORKSHEET

EMPLOYEE: _____

EMPLOYEE I.D.: _____

S.S.N.: _____

CLASS: _____

ORGANIZATIONAL UNIT: _____

PROPOSED LAYOFF DATE: _____

STATUS (*check one*)

Full-Time Part-Time

Perm. _____

Prob. _____

Position # _____

Other (explain) _____

STEP ONE: Determine Employees Total Length of Service "L". Enter Number of months credited per year:

04 _____	98 _____	92 _____	86 _____	80 _____	74 _____	68 _____	62 _____							
03 _____	97 _____	91 _____	85 _____	79 _____	73 _____	67 _____	61 _____							
02 _____	96 _____	90 _____	84 _____	78 _____	72 _____	66 _____	60 _____							
01 _____	95 _____	89 _____	83 _____	77 _____	71 _____	65 _____	59 _____							
00 _____	94 _____	88 _____	82 _____	76 _____	70 _____	64 _____	58 _____							
99 _____	93 _____	87 _____	81 _____	75 _____	69 _____	63 _____	57 _____							
_____	+	_____	+	_____	+	_____	+	_____	+	_____	+	_____	=	_____
														"L"

NOTE: Must have worked 17 days in month to give credit for month.

STEP TWO: Determine Average Score of Evaluations "A":

Using the point values below, enter the date of each Evaluation Scores for the last five years. Total the Rating Scores and divide the Total Total by the number of evaluations performed.

	Date	Date	Date	Date	Date	Total Rating
Exceptional=5	_____	_____	_____	_____	_____	_____
Satisfactory=3	_____	_____	_____	_____	_____	_____
Unsatisfactory=0	_____	_____	_____	_____	_____	_____

Total
 Total _____ / _____ =
 #of
 Evaluations

NOTE: If an employee has not had a performance rating that may be used to compute a layoff score, the employee shall be deemed to have been given a performance rating of satisfactory.

"A"
 Average Score

STEP THREE: Complete Layoff Formula

Enter Totals from Steps "L" & "A", multiply
 "L" x "A" to get total Layoff Score.

_____ x _____ =
 A L Layoff Score

Uniform Score Sheet

Computed by: _____ Date: _____

K.A.R. 1-14-8(b)

Checked by: _____ Date: _____